

Appl. No. 10/032,310
Amdt. Dated Aug. 19, 2003
Reply to Office Action of July 29, 2003

REMARKS

Claim Rejections under 35 U.S.C. 103(a)

Claims 1-8 and 12-13 are rejected under 35 U.S.C. 102(a) as being anticipated by Ryall (USPN 6382841).

In response to this rejection, Applicant has deleted claims 5-7 and 12-13 without prejudice.

Regarding claim 1, a collimating device includes a Graded Index lens, a filter, and a tube comprising a first receiving portion and a second receiving portion, wherein the Graded Index lens is secured in the first receiving portion, and the filter is secured in the second receiving portion, a length of the first receiving portion is less than a length of the Graded Index lens and a length of the second receiving portion is equal to a corresponding length of the filter.

The Examiner argues that the second receiving portion of Ryall brings equal to a corresponding length of the filter (i.e., fully received) (column 10, lines 25-27) as claimed in amended claim 1 and newly added claim 14. However, Applicant disagrees with the Examiner at this point of view.

As shown in FIGS. 5B and 6A, **Applicant sees no equal length between the cavity and the filter.** The fact is that the length of the filter is a little **longer** than, other than equal to, that of the second receiving portion (cavity). The Examiner's assertion is mainly based upon the statement of "fully received" in lines 25-25 in

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column 10. Anyhow, such description does NOT result in equal between the cavity and the filter. It is only to refer to intimateness between these two engaged parts, NOT dimensional equal length thereof. *If the term of "fully received" implies the "equal length" thereof, how could the GRIN lens (300) be also the so-called "fully received" in the corresponding socket/cavity of the bonding collar (200) mentioned in the SAME sentence, while the GRIN lens (300) in fact essentially extends out of the collar (200) with a very long distance?*

Understandably, only the equal length of both the filter and the corresponding cavity may guarantee the filter to be fully embedded for protection in the cavity under the condition that the inner end face of the GRIN lens supportably contacts both the inside surface of the filter and the shoulder of the outer tube (26) as shown in FIG. 3 of the instant application. Ryall can NOT satisfy the claimed limitations and achieve the advantageous result of the instant invention.

Therefore, collimating device defined by claim 1 is different from Ryall. Accordingly, claim 1 is novel and should be in a condition for allowance.

Claims 2-4, 8, and 14 depend directly or indirectly from claim 1 and incorporate more features therein, so they are also novel over the cited references and should be in a condition for allowance.

Regarding claim 4, the Graded Index lens has an inner end face **contacting** an inside surface of the filter. However, in Ryall, there is a film between the GRIN lens and the filter. The end face of the GRIN lens does not directly contact the inside surface of the filter. Therefore, claim 4 is novel over Ryall.

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GROUP 2800

Appl. No. 10/032,310
Amtd. Dated Aug. 19, 2003
Reply to Office Action of July 29, 2003

Regarding claim 8, the Graded Index lens has an obliquely ground and polished end disposed outside the first receiving portion of the tube. Applicant cannot see such a feature in Ryall. Therefore, claim 8 is novel over Ryall, and should be in a condition for allowance.

In view of the above claim amendments and remarks, the subject application is believed to be in a condition for allowance and an action to such effect is earnestly solicited.

Respectfully submitted,

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